



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8, MONTANA OFFICE
FEDERAL BUILDING, 10 W. 15th STREET, SUITE 3200
HELENA, MONTANA 59626

Ref: 8MO

July 25, 2012

Mr. Paul Bradford, Forest Supervisor
Kootenai National Forest
31374 US 2
Libby, MT 59923-0322

and

Mr. Richard Opper, Director
Montana Dept. of Environmental Quality
P.O. Box 200901
Helena, Montana 59620-0901 Helena, MT 59620-0901

Re: CEQ 20120208; Troy Mine Revised Reclamation
Plan FEIS

Dear Mr. Bradford and Mr. Opper:

The Environmental Protection Agency (EPA) Region VIII Montana Office has reviewed the Final Environmental Impact Statement (FEIS) for the Troy Mine Revised Reclamation Plan in accordance with EPA responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act.

The EPA appreciates receipt of responses to agency and public DEIS comments in Appendix L of the FEIS. We are pleased that the lead agencies share EPA's concern regarding the long-term effectiveness of natural attenuation mechanisms for removal of metals from groundwater, and have required several studies to address this concern. These studies indicate that metals contamination of groundwater from Troy Mine discharges to the decant pond has not occurred, and water monitoring at the mine has shown that water chemistry has not changed substantially over 30 years. The lead agencies believe, therefore, that significant attenuation of metals is occurring as a result of the mixing of mine water with ambient groundwater, and that these mechanisms for metals removal will remain effective.

We appreciate that the lead agencies concur with EPA regarding the need for long-term monitoring of mine water and groundwater near the Troy decant ponds to assure the continued effectiveness of natural attenuation mechanisms, and are pleased that the agencies are requiring the Troy Mine Inc. to submit a long-term monitoring plan based upon EPA's Monitored Natural Attenuation technical guidance for lead agency review and approval. In addition, a conceptual long-term monitoring plan incorporating the EPA technical guidance has been included in Appendix J of the FEIS.



We are also pleased that the lead agencies have identified contingency plans should the primary attenuation mechanisms occurring beneath the decant ponds ever fail to adequately remove metals from mine water (e.g., including low cost maintenance options such as clean out of sediment and precipitates in the decant ponds; excavation of a new infiltration pond sufficiently distant from the decant ponds that the substrate retains the attenuation capacity of the decant ponds; modification of the discharge to alter redox conditions; irrigation of the mine water onto the reclaimed tailings impoundment surface; or other actions that may be determined appropriate at the time based upon the cause of decreased attenuation capacity).

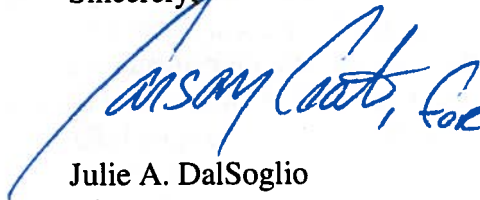
In regard to the tailings pipelines, the FEIS indicates that the lead agencies have now decided to continue to use the existing above-ground pipelines due to concerns related to burying the tailings pipelines. These concerns include: impacts associated with removal of the existing above-ground pipeline and reconstructing a new underground pipeline; long term maintenance and replacement requirements of a buried pipeline; the potentially longer reaction time to address a leak in an underground pipeline; and the potential impact of a leak in an underground pipeline. The FEIS indicates that the tailings pipelines will remain above-ground as long as they can be operated with a low risk of failure.

The FEIS further states that existing tailings lines and return water line will be evaluated by a qualified engineer at mine closure to determine their remaining service life, and if pipeline conditions are suitable, pipelines would be retrofitted to enhance existing leak detection systems and to improve their integrity if necessary (for example, inner sleeves can be inserted into the pipelines to reduce the risk of leaks developing). The probability of pipeline leaks developing is expected to be lower in the future than at present. Routine inspection and maintenance of the pipelines would continue for as long as they are in use. The bond would also be held for the future installation of a replacement pipeline. The lead agencies anticipate that the replacement pipeline would follow the route of the existing tailings lines, and would remain on the surface in locations where the existing lines are on the surface, and would be buried where the existing lines are buried.

The EPA acknowledges the revised FEIS analyses identifying reasons to continue using the existing above-ground pipelines as long as pipeline integrity is maintained and routine pipeline inspection and maintenance is conducted so that pipelines can be operated with low risk of failure. We have no objections to this revised proposal.

We appreciate the opportunity to participate in the NEPA process and review the Troy Mine Revised Reclamation Plan EIS. If you have any questions please contact Mr. Stephen Potts of my staff in Missoula at 406-329-3313 or in Helena at (406) 457-5022. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Julie A. DalSoglio".

Julie A. DalSoglio
Director
Montana Office

cc: Suzanne Bohan/Judy Roos, EPA, 8EPR-N, Denver
Dean Yashan, MDEQ, Helena

